

KEY HIGHWAY

URBAN RENEWAL PLAN

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
BALTIMORE, MARYLAND

APPROVED BY
THE CITY OF BALTIMORE PLANNING COMMISSION ON
AUGUST 12, 2004

ORIGINALLY APPROVED BY
THE MAYOR AND CITY COUNCIL OF BALTIMORE
BY ORDINANCE NO. 622
MARCH 12, 1986

Revised to include all amendments as of
November 28, 2004

- I. Amendment No. 1, approved by the Mayor and City Council of Baltimore by Ordinance No. 04-0829, dated November 28, 2004.

Changes in the text of the plan can be identified by the Roman numeral, which appears in the margin to the left of the revision.

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KEY HIGHWAY

URBAN RENEWAL PLAN

Department of Housing and Community Development
Baltimore, Maryland

I. PROJECT DESCRIPTION

A. Boundary Description

The boundaries of the Key Highway Urban Renewal Project (hereinafter referred to as the "Project Area") are shown on Exhibit A and are described as follows:

Beginning for the same at the point formed by the intersection of a south outline of the Department of Housing and Community Development Inner Harbor Urban Renewal Project I and the west side of Covington Street, as now laid out 66 feet wide, said point of beginning being distant South 02 Degrees, 07 Minutes - 20 Seconds East 237.55 feet measured along the west side of said Covington Street, from the south side of Key Highway, as now laid out 66 feet wide, and running thence binding on the west side of said Covington Street, crossing Grindall Street, Cross Street and Ostend Street, southerly 2,043 feet, more or less, to the northwest corner of Gittings Street, as now laid out 49.5 feet wide, and said Covington Street; thence by a straight line, crossing said Gittings Street; Southeasterly 52 feet, more or less, to the southwest corner of said Gittings Street and Covington Street, as now laid out; thence by another straight line, crossing last said Covington Street, Northeasterly 51 feet, more or less, to the southeast corner of Gittings Street, as now laid out 25 feet wide, and last said Covington Street, thence binding on south side of last said Gittings Street, Easterly 379 feet, more or less, to the southwest corner of last said Gittings Street and Jackson Street, as now laid out 66 feet wide; thence by another straight line, crossing said Jackson Street, Northeasterly 75 feet, more or less, to the point formed by the intersection of the east side of said Jackson Street and the center line of an alley, 10 feet wide, laid out contiguous to and north of the property known as No.1341 Jackson Street; thence binding on the center line of said alley, Easterly 80 feet, more or less, to intersect the center line of an alley, 20 feet wide, laid out 70 feet east of said Jackson Street; thence binding on the center line of last said alley, southerly 105 feet, more or less, to intersect the center line of an alley, 10 feet wide, laid out 65 feet north of Clement Street, as now laid out 66 feet wide; thence binding in part on the center line of last said alley, in part on the line of the center line of last said alley, if projected easterly, and in all, easterly 97 feet, more or less, to intersect the center line of Anchor Street, as now laid out; thence binding on the center line of said Anchor Street, Northerly 115 feet, more or less, to intersect the southwest side of Key Highway, as now laid out 106 feet wide; thence binding in part on the southwest side of said Key Highway, in part on the line of the southwest side of said Key Highway, if projected southeasterly, and in all, crossing River Street, Clement Street and Webster Street, Southeasterly 600 feet, more or less, to intersect the line of the southeastern most outline of the property known as No.1101 Key Highway, if projected southwesterly; thence binding in part reversely on last said line so projected, in part on the southeastern most outline of last said property, and in all, North 35 Degrees - 17 minutes - 50 seconds East 246 feet, more

or less; thence continuing to bind on the southeastern most outline of last said property the five following courses and distances; namely, North 42 Degrees - 27 Minute -30 Seconds East 53.78 feet, North 24 Degrees - 15 minutes - 30 Seconds East 36.46 feet, South 65 Degrees - 44 Minutes - 30 Seconds East 9.82 feet, North 38 Degrees - 06 Minutes - 50 Seconds East 63.08 feet and North 27 Degrees - 55 Minutes - 10 Seconds East 86.79 feet; thence continuing to bind in part on the southeastern most outline of last said property, if projected northeasterly, and in all, North 39 degrees - 50 minutes - 20 seconds East 370 feet, more or less, to intersect the Pierhead/Bulkhead line of Baltimore Harbor; thence by a straight line, crossing the basin of the Northwest Branch of the Patapsco River, Northerly 1,715 feet, more or less, to the easternmost extremity of the southernmost outline of the Neighborhood Progress Administration/Department of Housing and Community Development Inner Harbor East Urban Renewal Project I; thence binding on the southernmost outline of said Inner Harbor East Urban Renewal Project and crossing the basin of the Northwest Branch of said Patapsco River, due West 1,210 feet, more or less, to intersect the Neighborhood Progress Administration/Department of Housing and Community Development Inner Harbor Urban Renewal Project I; thence binding on the northeast outline northeast outline of said Inner Harbor Urban Renewal Project I, South 39 Degrees - 18 Minutes - 02 Seconds East 25.11 feet; thence binding in part on the northeast outline of said Inner Harbor Renewal Urban Renewal Project I, in part on the line of said northeast outline, if projected southeasterly, and in all, South 24 Degrees - 23 Minutes - 47 Seconds East 270 feet, more or less, to intersect a line drawn at a right angle to the west side of Key Highway, as now laid out 106 feet wide, from a point distant 175 feet southerly, measured along the west side of said Key Highway from the southwest corner of said Inner Harbor Urban Renewal Project I outline; thence binding reversely on said line so drawn, crossing Key Highway, Westerly 652 feet, more or less, to intersect the west side of said Key Highway; thence binding on the west side of said Key Highway, Northerly 175 feet to said southwest corner of said Inner Harbor Urban Renewal Project I outline; thence binding on a west outline of said Inner Harbor Urban Renewal Project I and on the west side of said Key Highway, North 02 Degrees - 07 Minutes - 20 Seconds West 97.00 feet to the south outline of said Inner Harbor Urban Renewal Project I mentioned firstly herein and thence binding on the south outline of said Inner Harbor Renewal Project I mentioned firstly herein, crossing Covington Street, South 86 degrees - 36 Minutes - 35 Seconds West 155.02 feet to the place of beginning.

B. Urban Renewal Objectives

The objectives of this Renewal Plan as determined by the Mayor and City Council of Baltimore (hereinafter referred to as the "City"), acting by and through the Department of Housing and Community Development (hereinafter referred to as "DHCD") and the Commissioner thereof (hereinafter referred to as "Commissioner") are as follows:

- 1) To eliminate blighting influences within the area.
- 2) To provide a plan for new uses that are compatible with the existing neighboring environment and the City's redevelopment objectives in the Project Area and to establish a plan review process to assure orderly and harmonious development therein.

- 3) To provide for new development which respects the adjacent community and provides a transition to the existing neighborhood.
- 4) To promote economic development on the South Baltimore Peninsula, provide job opportunities for city residents-
- 5) To provide for the completion of the public shoreline uses around the Inner Harbor and to provide for a transition between the Inner Harbor and adjacent development.
- 6) To provide public pedestrian access to the waterfront by means of open space and pedestrian walkways along the waterfront and through private development areas.
- 7) To protect and enhance views of the Harbor from South Baltimore east-west streets, Federal Hill Park and Key Highway.
- 8) To improve the environmental quality of the Harbor as a result of redevelopment, which is consistent with the Critical Areas Commission criteria.
- 9) To allow opportunities for recreational boating consistent with the operation of a commercial port.
- 10) To establish a positive image for the Project Area so as to provide opportunities for new downtown waterfront development, increase the tax base of the City, improve job opportunities and generally increase the economic vitality of both the Project Area and the City as a whole.
- 11) To have development begin and proceed in an expeditious manner.

C. Types of Renewal Action To Be Used To Achieve Plan Objectives

1) Plan Review

- a) To assure harmonious development and rehabilitation within the Key Highway Project Area, it is required that all plans and specifications for new construction, exterior rehabilitation, demolition (except for demolition in Development Areas designated for clearance herein) or any exterior changes of any kind (including signs and lighting) shall be submitted to DHCD, in accordance with the provisions of this Section C, for review and determination by DCHD as to whether such plans are consistent with the objectives and requirements of the Renewal Plan.
- b) Prior to the issuance of a building permit for new construction, exterior rehabilitation, demolition, or exterior change of any kind within the Project Area, the developer or property owner or his representative shall submit to DHCD Preliminary Plans and Outline Specifications, Final Working Drawings and Specifications (and all subsequent revisions thereto - collectively "Plans") for the proposed work. Plans and specifications for permanent construction or renovation shall be in sufficient detail to show site planning, architectural design and layout, materials, colors, building construction, landscape design, access, signs, lighting service, streets and sidewalks, and the relationship to all existing and proposed development within the particular Development Area. Where new construction is proposed, Preliminary Plans and Outline Specifications shall be submitted to and approved by DHCD prior to the submission of Working Drawings and Specifications. Where the Commissioner finds that such Working Drawings and

Specifications are in conformity with Preliminary Plans and Specifications previously submitted to and approved by DHCD, the approval of such Working Drawings shall not be unreasonably withheld.

- c) The review of such plans shall be concerned with, but necessarily limited to, urban design standards, site planning, location of retail uses generally, building heights, architectural treatment, materials, colors, building construction, landscape design, views from the Project to the surrounding community, and from the surrounding community to the Project, public and private access including vehicular and pedestrian, signs, lighting, parking, servicing, streets, sidewalks, and construction and rehabilitation details.
 - d) Approval by DHCD of plans and specifications as being consistent with the requirements and objectives of the Renewal Plan shall be a condition precedent to the issuance of any building permit.
 - e) Promptly upon receipt, the Commissioner shall submit to a Task Force established by South Baltimore community organizations for its review and comment, proposed preliminary and final development plans for each development area designated in this Plan. The Task Force's comments shall be transmitted in writing to the Commissioner no later than two (2) weeks after the plans have been submitted to the Task Force. The Commissioner shall solicit and obtain the views of the Design Advisory Panel. The Commissioner of DHCD retains final authority, at the Commissioner's sole discretion, to approve or disapprove all plans required to be submitted under this Urban Renewal Plan.
 - f) The approval by DHCD of plans submitted to it pursuant to this Section C. shall not be unreasonably withheld or delayed. In the event DHCD disapproves any such plans, it shall so notify the developer or property owner in writing setting forth in reasonable detail and specificity the reasons for its disapproval.
- 2) Acquisition of Property
- Should the owner of private property in the Project Area undertake or attempt to undertake development, rehabilitation (or fail to undertake rehabilitation) or demolition of a structure or property in a manner not in substantial conformity with approved plans and this Urban Renewal Plan and the owner is so notified in writing by DHCD, but nevertheless continues in said efforts, or requests that the property be acquired in lieu of conformance, then following ninety (90) days written notification to the owner DHCD may, subject to the approval of Board of Estimates, acquire such property pursuant to the Eminent Domain laws of this State. DHCD may also enjoin any modifications or destruction of any structure pending acquisition by the City for a period of six (6) months following notification to the owner of the City's intent to acquire.
- 3) Actions to be followed by DHCD upon Acquisition of Property
- b) Rehabilitate the Property in conformity with this Renewal Plan and the codes and ordinances of the City and then dispose of the Property at its fair value in accordance with applicable law and regulations. If a sale cannot be consummated by the time rehabilitation is accomplished, the Property may be rented pending continuing sale efforts; or,

- c) Sell or lease the Property subject to rehabilitation and/or maintenance agreements in conformance with this Renewal Plan and the codes and ordinances of Baltimore City; or,
 - d) Demolish the structure or structures thereon and dispose of land for redevelopment subject to and at its fair value for uses in conformance with this Renewal Plan.
 - e) Devote the Property and/or structures thereon to a public use in conformance with this Renewal Plan.
- 4) Land Disposition
- a) Land and Property interests acquired by the City within the Project Area will be disposed of by sale, lease, conveyance, transfer, or other means available to the City in accordance with the provisions of this Renewal Plan.
 - b) Disposition by the City of any land within the Project Area will be in accordance with the Land Disposition Policy of DCHD.
 - c) No covenant, agreement, lease, conveyance, or other instrument shall be affected or executed by DHCD or by a developer or any of its successors or assigns, whereby land in the Project Area is restricted by DHCD, the developer or any successors in interest, upon the basis of race, color, religion, sex or national origin in the sale, lease, use or occupancy thereof. All agreements, leases, and other conveyances with respect to land in Project Area shall obligate the developer for itself, its successors and assigns not to discriminate upon the basis of race, color, religion, sex or national origin in the sale, lease, use or occupancy of the Property or any improvement erected or to be erected thereon or any part thereof.

II. LAND USES

A. Land Use Map

Exhibit C, entitled “Proposed Land use,” shows generally the proposed locations of street rights-of-way, easements, commercial, residential, and residential-commercial uses of land for the Project.

B. Land Use Provisions

- 1) General: In order to achieve the objectives of this Renewal Plan, the land uses, as defined in Subsection B(2) and B(3) below, are the only uses permitted in the Project Area.
- 2) Definition of General Uses: The General Uses in this Renewal Plan shall be the following:
 - a) Residential: The Category defined “Residential” includes the following specific uses:

(1) Housing	(7) Open Space
(2) Ancillary Retail	(8) Ancillary Recreation
(3) Ancillary Office	(9) Ancillary Schools
(4) Hotel or Inn	(10) Ancillary
(5) Parking	(11) Institutional

- (6) Marina
 - b) Residential-Commercial: The category defined “Residential-Commercial” includes the following specific uses:
 - (1) Office
 - (2) Housing
 - (3) Retail
 - (4) Parking
 - (5) Hotel or Inn
 - (6) Open Space
 - (7) Recreation
 - (8) Marina
 - (9) Institutional
 - c) Office/Residential: The category defined as “Office/Residential” includes the following uses:
 - (1) Office
 - (2) Residential
 - (3) Ancillary Parking
 - (4) Ancillary Retail
 - d) Marine Services: The category defined as “Marine Services” includes the following uses:
 - (1) Marine Services
 - (2) Parking
 - e) Industrial: The category defined as “Industrial” includes all uses from time to time permitted under the M-1-3 or M-3 Zoning Classification of the Zoning Ordinance of Baltimore City, as the case may be, but specifically excludes those uses which cause emission of heavy smoke or noxious odors into the atmosphere and those which are obnoxious or potentially dangerous to health as determined by DHCD.
- 3) Definition of Specific Uses:
- a) Office: Facilities normally required for the transaction of business or provisions of services other than the process of retailing of manufacturing, including but not limited to the conduct of clerical, administrative and executive work.
 - b) Retail: Facilities for the provision or sale of commodities or services directly to the consumer.
 - c) Housing: Facilities for lease or sale as dwelling units to families of one person or more for the establishment of housekeeping.
 - d) Hotel or Inn: Facilities for lease, rent or sale as an accommodation to persons not establishing housekeeping and other uses related thereto, including conference, banquet, restaurant, and entertainment facilities.
 - e) Schools: Facilities for public or private instruction.
 - f) Institutional: Facilities for, or provided by, eleemosynary organizations, societies or corporations of a public, quasi-public, or private non-profit character.
 - g) Recreation: Facilities for public or private leisure -time activities.
 - h) Marina: Facilities normally provided for the dockage and storage of boats in the water.
 - i) Open Space: Parks, plazas, squares, promenades, landscaped boulevards, public shoreline treatment, and other landscaped open space.

- j) Parking: Facilities for the storage of wheeled vehicles.
- k) Marine Services: Facilities for the storage, sale, repair and servicing of vessels and the storage and sale of materials, supplies and equipment required for maritime use and other uses integral or ancillary to the operation of a shipyard, boatyard or marina.
- l) Ancillary uses: Any of the uses defined above where the use is secondary to the primary use for a given development area.

III. REGULATIONS, CONTROLS AND RESTRICTIONS

A. Applicability

The following controls shall apply to all new construction and, where appropriate, to the rehabilitation of existing structures within the Project Area. Substantial compliance herewith shall be a condition precedent to the issuance of a building permit.

B. General Controls

- 1) Servicing. All servicing for new structures shall be off-street, and shall be within structures and roofed so as to be in accordance with the Building Code of Baltimore City. Open-air storage of equipment, merchandise and materials is prohibited.
- 2) Waste Disposal. Facilities will be provided and maintained within structures for the storage and collection of refuse. No waste or refuse shall be permitted to remain outside of structures.
- 3) Parking: Parking shall be provided and maintained in accordance with the following minimum standards (provided that provision may be made for multiple use of spaces for one or more land uses).

Office Space: 2.5 spaces per 1000 sq. ft. of floor area, including ground level or lobby retail space in office buildings.

Retail Space: 4.0 spaces per 1000 sq. ft. of occupied floor area (other than ground-level or lobby retail space in office buildings).

Residential: 1.75 spaces per dwelling unit.

Hotel: 1.0 spaces per room.

Marina (Public): 1.0 spaces for each three (3) slips, or as required by the Zoning Ordinance of Baltimore City.

Temporary or interim off-street parking lots may be permitted by DHCD where justified by functional or economic reasons, subject to the approval of DHCD in accordance with Section C.1) of the Plan.

Parking Spaces as required by the Zoning Ordinance shall be provided as established in the Zoning Ordinance of Baltimore City except as provided in this Plan. In addition, off-street parking lots shall be visibly screened from the water and adjacent streets and properties. Screening shall consist of either a masonry wall or durable fence (except chain link fences which are prohibited) or combination thereof, not less

- than (4) feet in height, and/or a compact evergreen hedge not less than four (4) feet in height at time of original planting.
- 4) Minimum elevation for new development: No habitable building area and no building area containing mechanical, electrical or other equipment or property not easily or quickly removable, shall be permitted below elevation 10 feet above Mean Low Tide, unless such area is waterproofed and protected against hydrostatic pressure to Elevation 10 feet above Mean Low Tide. All elevations noted herein refer to the elevations above Mean low Tide as adopted by the Baltimore Survey Control System.
 - 5) Grade: Grade level shall be determined by DHCD.
 - 6) Signs: Signs shall be in accordance with the individual zoning requirements for each district.
 - 7) Exterior lighting: design for any floodlighting, highlighting, spotlighting, backlighting, or other illumination which will be visible from any public right-of-way, park, pedestrian-access facility, or boulevard shall be submitted to DHCD for review and approval.
 - 8) Landscaping: All land not covered by structures, paved parking, loading, or related service areas, paved areas for pedestrian circulation, or decorative surface treatments shall be provided with landscape treatments. Landscape treatment encompasses the planting of any, all or a combination of the following: trees, shrubs, ground cover, grass, flowers. The amount of landscape treatment should be determined by the nature of the development and should serve to improve the utility of the site, soften and relieve the effects of structures and pavement, and provide visual harmony.
 - 9) Exterior Equipment: Exterior ventilation equipment, antennas or satellite disks, and antennas or any mechanical equipment placed outside a building, or on the roof, shall be placed out of sight from the ground and from the harbor. Rooftop equipment shall be painted a color compatible with the building on which it is placed, and/or a color that will minimize the visual impact. The number of satellite antennas in the development area shall be limited to the least practicable number and shall be shown on preliminary and final plans for the Development Area.
 - 10) Upon receiving a request in writing, the Commissioner from time to time may waive compliance with one or more of the foregoing general controls if it is determined by the Commissioner that the granting of such waiver shall further the objective of this Renewal Plan. Such a waiver shall be granted in writing.

C. Development Area Controls

The following Standards and Controls shall apply to the individual development areas and other parcels as shown on Exhibit E. These Standards and Controls are in addition to the Regulations, Controls, and Restrictions set forth in Section III.B above and the requirements of the Zoning Ordinance, Building Code and other applicable ordinances. The parceling of areas identified for development on Exhibit B, "Development Areas," and Exhibit C "Land Use," are schematic and approximate, and DHCD may, in its discretion, fix their precise boundaries and size, may also, in order to facilitate the most advantageous development, subdivide or combine Development Areas; and in so doing, assign or consolidate, as the case may be, the applicable Standard and Controls.

Development Area A

The following standards, controls and design principles shall apply to Development Area A and shall be in addition to all other standards and Controls required by the Urban Renewal Plan:

- 1) General Use: Residential.
- 2) Density: The density shall not exceed:
Residential: 1,590 dwelling units.
Aggregate of Office, Retail, and Hotel: 200,000 square feet. Retail uses on Development Area A shall be maintained at a level commensurate with a first class residential mixed use project.
Marina Slips: 666 Slips
- 3) Height: The roof of any structure shall not exceed Elevation 290 feet above Mean Low Tide, as defined by the Baltimore Survey Control System; provided, however, that within that portion of Development Area A located between the northern boundary of Development Area A and the eastward extension of Grindall Street through development Area A, the roof of any structure shall not exceed Elevation 58 feet above Mean Low Tide, as defined by the Baltimore Survey Control System. Rooftop mechanical equipment may exceed such a maximum permitted elevations, as approved by DHCD.
- 4) Coverage: Building coverage on the platform and the fast land areas may not exceed the following percentages of the existing aggregate of those areas:
 - a) Grade to El. 36 feet: 65%
 - b) El. 36 feet to El. 150 feet: 30%
 - c) El. 150 feet to El. 390 feet: 16%
- 5) Structural Footprint and Spacing: No structure located between El. 150 feet and El. 390 feet shall exceed 14,000 square feet in area nor be located less than 100 feet from any structure located between El. 150 feet and El. 390 feet.
- 6) Pedestrian Access: Public pedestrian access shall be provided from Key highway to the water's edge from at least six points on Key highway, as shown generally on Exhibit E. In addition, a public promenade (including paving, lighting, benches, planting, etc.) of no less than 30 feet in width shall be provided continuously along the water's edge throughout the site as shown on Exhibit E. An easement or other legally enforceable mechanism for public circulation shall be established for the required promenade. In limited areas, where it can be demonstrated that it is functionally and economically justified, the Commissioner may allow a promenade of lesser width, or a reasonable setback from the edge. Public pedestrian access on private property shall be subject to such reasonable rules and regulations as may be promulgated by the owner of such property and agreed to by DHCD.
- 7) View Corridors: The preservation of views generally from west to east through the Development Area A is a major objective of this Plan. Particularly important is to protect and enhance the views of the outer harbor (between Domino Sugar and Allied Chemical) from a substantial portion of the eastern face of Federal Hill Park from the

northern edge of the Park. Special design attention shall be given to the preservation and enhancement of the following view corridors:

- a) The east-west streets from Federal Hill Park and including Cross Street.
 - b) Pedestrian access points from key Highway to development Area A.
- 8) Parking: No parking, which is visible at grade, will be permitted fronting Key Highway or any public pedestrian way or promenade. Frontages in these areas shall be active retail, commercial, or residential uses to the maximum extent feasible.
 - 9) Demolition: Development Area A is designated for clearance.

Development Area B

- 1) General Uses: Marine Services or other uses permitted in M-1.
- 2) All other controls as permitted in M-1 Zoning.

Development Area C

- 1) General Uses: Industrial.
- 2) All other controls as permitted in M-3 Zoning.

Amend. 1. Development Area D, D-1 and D-2

- 1) General Uses: Office/Residential
- 2) All other controls as permitted in O-R-Zoning.
- 3) All legally existing non-conforming uses may continue and be replaced by similar uses. If the use is discontinued for more than twelve months it may not re-establish.
- 4) No buildings shall be taller than 50 feet as measured from the highest point of the property for each lot. The only exception is for access to deck structures which are limited to 25% of the roof area, not to exceed 13 feet in width, and designed to be minimally intrusive on the skyline.
- 5) Buildings on sloped sites are encouraged to step down from the highpoint toward Key Highway with varied roof forms and building heights.
- 6) The following apply to area D-1 only:
- 7) Development Area D-1 shall have a widened Gittings street to accommodate a sidewalk located along the north side and a row of parallel parking along the south side.
- 8) Area D -1 shall have at least two parking spaces per residential unit.
- 9) Area D-1 shall be compatible in architectural features to the surrounding Federal Hill area houses. The primary building material shall be brick. They should include cornice delineations at the top floors wherever possible.
- 10) Area D-1 shall be limited to 40 feet in height as measured from the highest point of the property for each lot along Covington Street for at least ten feet back from the property line.

- 11) Area D-1 shall be limited to 40 feet in height for the buildings along Jackson Street, as measured from the highest point of the property for each lot along Jackson Street for at least six feet back from the property line.

Development Area E

- 1) General use: residential-Commercial.
- 2) (Amend. 1) Maximum permitted Height: El. 115 feet, including exterior mechanical equipment.
- 3) View Corridors: View corridors generally from west to east through Development Area E shall be given special design attention.

Development Area F

- 1) General Use: Office/Residential.
- 2) Maximum Permitted Height: El. 55 feet, including exterior equipment.

Development Area G

- 1) General Use: Office/residential.
- 2) Maximum permitted Height: El. 55 feet, including exterior equipment.

IV. INTERPRETATION

In the event of any question regarding the meaning of these Standards and Controls or other provisions of this Plan, the interpretation placed thereon by DHCD shall be final and binding, provided that such interpretation shall not be unreasonable or arbitrary.

V. OTHER REQUIREMENTS

The standards, guidelines, height limitations etc., contained in this Renewal Plan are over and above the codes and ordinances of the City of Baltimore (Ordinance No. 92, approved June 10, 1968, Article 9 of the Baltimore City Code, entitled "Fire Prevention," Article 30 of the Baltimore City Code, entitled "Zoning," Article 11 of the Baltimore City Code, entitled "Health," and Article 32 of the Baltimore city Code, entitled "Building Regulation," approved April 1, 1966, including flood plain requirements, all as amended to date or as may be subsequently amended.

VI. SEPARABILITY

In the event it is judicially determined that any word, phrase, clause, sentence, paragraph, section or part in or of this Plan, or the application thereof to any person or circumstances is invalid, the remaining provisions and the application of such provisions to other persons or circumstances shall not be affected thereby, it being hereby declared that the remaining provisions of the Plan without the word, phrase, clause, sentence, paragraph, section or part, or application thereof, so held invalid would have been adopted and approved.

VII. CHANGES IN APPROVED PLAN

No substantial change or changes shall be made to this Plan, after approval by Ordinance, without such change or changes first being adopted and approved in the manner required by law for the approval of a renewal plan.

VIII. STREET RESERVATION AND DEDICATION

The City reserves the right, title and interest in and to the beds of all streets, alleys, avenues, or lanes herein mentioned and referred to, subject however to their use as public streets if heretofore dedicated and accepted by the City for public use or as private ways until said streets, alleys, avenues, and lanes are expressly dedicated to public use and accepted by the City.

All references herein to any street, alley, avenue, or lane are for purposes of description only and are not intended to dedicate same to public use, and any implied intent of dedication or dedication of the streets, alleys, avenues or lanes by reference to them is hereby denied and revoked.

Notwithstanding anything to the contrary contained herein, all streets, alleys, avenues, or lanes located within a private development shall remain private, until and unless such streets, alleys, avenues, or lanes are expressly dedicated to public use by the owner of the property on which they are located and accepted by the City and until such time shall be in the exclusive control of such owner.

IX. TERM OF PLAN

The Key Highway Renewal Plan, as it may be amended from time to time, shall remain in full force and effect for a period of (40) years from the date of original adoption of this Renewal Plan by Ordinance of the Mayor and City Council of Baltimore.

X. OFFICIAL ACTIONS

In order to implement the objectives of this Renewal Plan, it is necessary for the City to do the following official actions:

- A. Passage of an ordinance approving this Renewal Plan.
- B. Passage of an ordinance amending the Zoning ordinance of Baltimore City to change the Zoning in the Project Area from M-2-2 and M-3 to B-2-4 and M-1-3 as shown on Exhibit F.
- C. Amending of the City's Master Plan for Marinas, as adopted by the Planning Commission for Baltimore City, to include Development Areas A and B within those areas where marinas may be approved as conditional uses under the Zoning ordinance of Baltimore City.

EXHIBIT A



EXHIBIT B

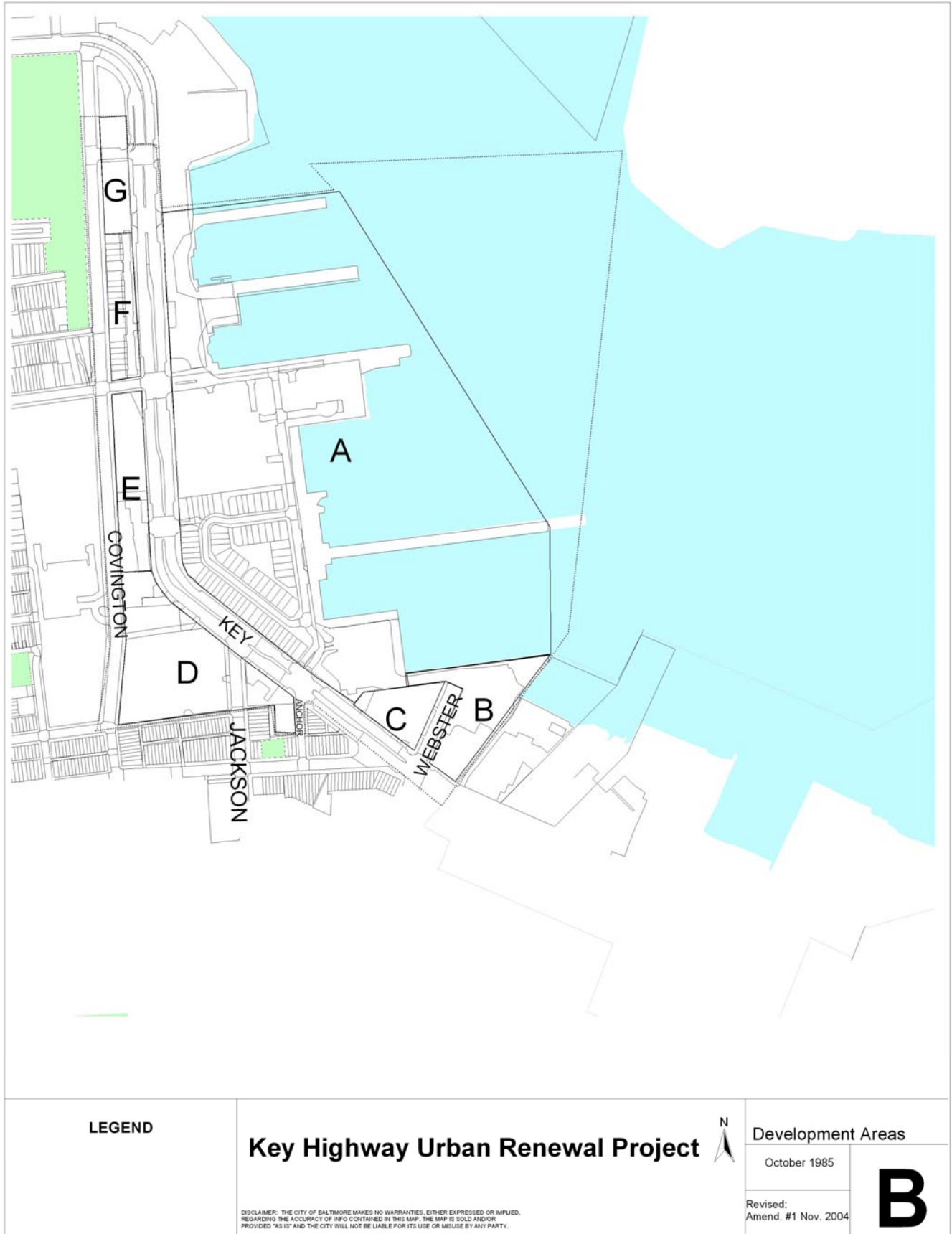


EXHIBIT C

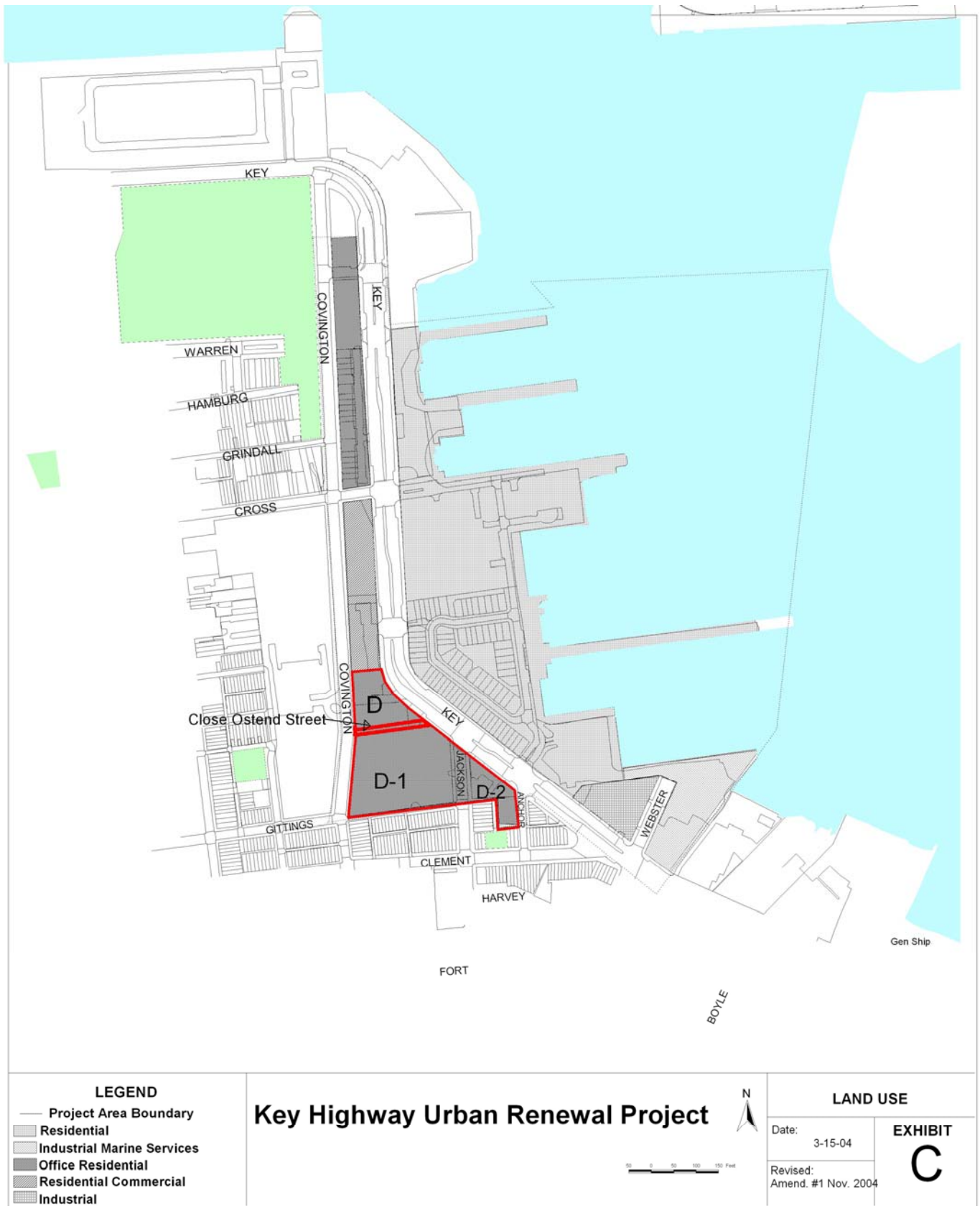


EXHIBIT D

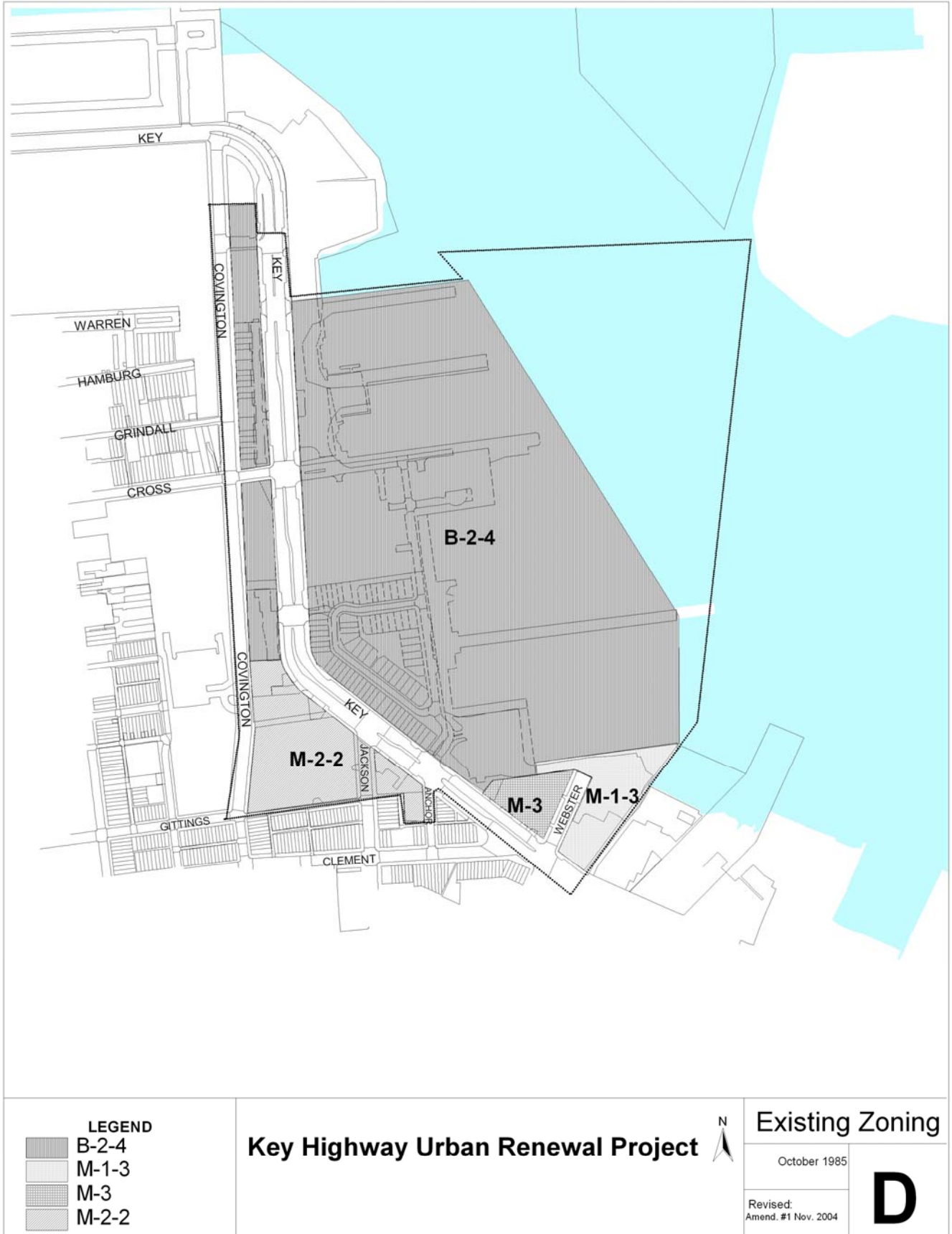


EXHIBIT E



EXHIBIT F

